MINUTES OF THE REGULAR MEETING OF THE BOARD
OF EMERY COUNTY COMMISSIONERS
HELD IN THE EMERY COUNTY COURTHOUSE

JUNE 21, 2022

DUE TO RESTRICTIONS IN PLACE DURING THE COVID-19 PANDEMIC THIS MEETING WAS OFFERED ELECTRONICALLY.

Present at the meeting was Commissioner Lynn Sitterud, Commissioner Kent Wilson, Commissioner Gil Conover, Attorney Mike Olsen, Deputy Clerk/Auditor Carol Cox. elected officials and citizens.

CONSENT AGENDA

(1)
The Warrant Check Edit List #260696 through and including #260820 was presented for payment.

Requisitions were presented as follow:

REQUISITION	DESCRIPTION	AMOUNT
42-22	(8) CamLocker Chest Tool Box 60 in. Sheriff	$6,239.60
43-22	Long term recorder for Dispatch radio/phones Sheriff/911	$28,165.86

There were no dispositions.

(2)
APPROVAL OF THE JUNE 7, 2022 COMMISSION MEETING MINUTES

(3)
APPROVAL TO GIVE LANE TAYLOR A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HIS 6 MONTH ORIENTATION PERIOD AS AN IT TECHNICIAN AND 6% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 6-27-22

(4)
APPROVAL TO GIVE MEGAN HESS A 3% WAGE INCREASE FOR SUCCESSFUL COMPLETION OF HER 6 MONTH ORIENTATION PERIOD AS AN ASSISTANT LIBRARIAN IN ELMO AND 6% COLA GIVEN THE FIRST OF THE YEAR. EFFECTIVE 6-27-22

(5)
APPROVAL TO PROMOTE MIKE HOWES TO DEPUTY II AS HE HAS WORKED 3 CONSECUTIVE YEARS PERFORMING BCO AND LEO FUNCTIONS. EFFECTIVE 6-27-22

(6)
APPROVAL TO PROMOTE KELSEY THOMAS AND ELLI WHITSEL TO HEAD LIFEGUARDS. GRADE 4. EFFECTIVE 6-27-22

Motion to approve the Consent Agenda was made by Commissioner Kent Wilson, seconded by Commissioner Gil Conover, and the motion passed.
AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud
NAY: none

DISCUSSION AGENDA

(1)
ITEMS PULLED FROM THE CONSENT AGENDA.

(2)
SAFETY MINUTE PRESENTATION BY COUNTY ASSESSOR, KRIS BELL.

Kris talked about the signs of heat exhaustion and remaining hydrated during the heat of the summer.

(3)
AWARDING OF THE SAFETY VISA GIFT CARDS.

Part-time employee: Ariana Downard
Full-time employee: Tracy Clark
Safety Sensitive employees: Tausha Barnett and Cory Cloward
EMTs: Seth Gardner and Alisha Roberts

Commissioner Gil Conover made a motion to leave the regular meeting and enter into a public hearing and at the conclusion of the public hearing to return to the regular meeting agenda. The motion was seconded by Commissioner Kent Wilson. The motion passed.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: none

(4)
PUBLIC HEARING: PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING THE CIB GRANT APPLICATION IN THE AMOUNT OF $220,000.00 TO OBTAIN EASEMENTS ON 92 MILES OF CLASS D ROADS LOCATED ON SITLA OWNED PROPERTY IN EMERY COUNTY.

Commissioner Wilson explained that Emery County has made an application for easements to lands that will be transferred to SITLA as part of the Dingle Act. SITLA has billed Emery County for the ROW process. Emery County has made an application to CIB to reimburse the County for the cost, $220,000 to obtain the easements.

Peggy Anderson asked where the 92 miles of Class D roads are located? Commissioner Wilson answered that they are scattered throughout the desert on SITLA owned property in Emery County. They are not contiguous roads. They are small roads that lead to trails and areas owned by SITLA that lead to Emery County land.

Judi Brawer asked if the BLM has been made aware of this process? Commissioner Wilson answered affirmatively.

The County Commissioners closed the public hearing and returned to the regular agenda.

(5)
DISCUSS/APPROVE/DENY MONETARY DONATION TO JD SEELEY FOR A COMMUNITY GARDEN PROJECT FOR THE UTAH COUNCIL OF THE BLIND.

JD Seeley requested a donation for a Community Garden for the Utah Council of the Blind. JD indicated that any funds the Commission may see fit to donate would be sent to the Utah Council for the Blind and earmarked for Emery County. JD talked about projects going on throughout the state that benefit the blind and legally blind communities. He has located a place in Ferron to cultivate a community garden that would benefit not only the blind but those individuals in need. Commissioner Kent Wilson made a motion to donate $750.00 to JD Seeley for a community garden project for the Utah Council for the Blind with the stipulation that the funds be set aside for Emery County and to look at this donation again during the 2023 budget process. The motion was seconded by Commissioner Gil Conover. The motion passed.
AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud
NAY: none

(6)
RATIFICATION OF SPECIAL USE LEASE AGREEMENT NO.1976 BETWEEN EMERY COUNTY SHERIFF'S OFFICE AND SITLA.

This is a 30 year lease on 0.15 acres of certain Trust Lands located in Emery County. The Sheriff's Department has a repeater, battery and solar panel located on the land. Commissioner Gil Conover made a motion to ratify approval of a Special Use Lease Agreement no. 1976 between Emery County Sheriff's Office and SITLA.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: none

(7)
RATIFICATION OF CONTRACT BETWEEN EMERY COUNTY AND JOHN'S LOW-COST REPAIRS AND TREE SERVICES.

Desiree Malley, Emery County Library Director explained that she had Kyle Scow help to get some bids for someone to remove some trees causing problems at the Cleveland Library. John's Low-Cost Repairs and Tree Service was chosen to do the work. The contract with John's Low-Cost Repairs and Tree Service was signed prior to this meeting so he could get the work done asap. The signing of that contract needs to be ratified. Commissioner Gil Conover made a motion to ratify the signing of a contract with John's Low-Cost Repairs and Tree Service. The motion was seconded by Commissioner Kent Wilson. The motion passed.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: None

(8)
RATIFICATION OF IBLA APPEAL NO.2022-0099 BETWEEN EMERY COUNTY AND U.S. BUREAU OF LAND MANAGEMENT.

Commissioner Wilson explained that Jim Jennings as Public Lands Director and Emery County employee received an affidavit to testify in IBLA Appeal No. 2022-0099. The Emery County Commission needed to approve of the work Jim did as an employee of the county. Commissioner Kent Wilson made a motion to ratify approval of the Declaration of Jim Jennings in the IBLA appeal No. 2022-0099 between Emery County and U.S. Bureau of Land Management. The motion was seconded by Commissioner Gil Conover. The motion passed.
AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud

NAY: none

(9)
DISCUSS/APPROVE/DENY EMERY COUNTY'S APPLICATION TO THE UTAH COMMISSION ON CRIMINAL & JUVENILE JUSTICE FOR THE STATE TASK FORCE GRANT (STFG).

Meagan Crosland explained that this is an annual application to the Utah Commission on Criminal & Juvenile Justice for State Task Force Grant (STFG). The amount is $51,000. The funds will be used to fund a drug task force for public education (NOVA) in the schools to educate the fifth grade students on dangers and warning signs of drug use, bullying and violence. It also pays for Drug Task Force training. Commissioner Kent Wilson made a motion to approve Emery County's application to the Utah Commission on Criminal & Juvenile Justice for the State Drug Task Force Grant (STFG). The motion was seconded by Commissioner Gil Conover. The motion passed.
AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud
NAY: none

(10)
DISCUSS/APPROVE/DENY 2022 TAX RATES FOR EMERY COUNTY

Deputy Clerk/Auditor Carol Cox presented the 2022 Tax Rates for Emery County as follow:

General Operations: 0.003672 to generate $7,738,338
Interest and Sinking Fund/Bond: 0.000119 to generate $250,000
Library: 0.000421 to generate $887,211
Recreation: 0.000066 to generate $139,088
Discharge of Judgement: 0.000053 to generate $112,500
Proposed Tax Rate: 0.004331 to generate $9,127,137

County Assessing & Collecting: 0.000475 to generate $1,003,094

Motion to approve the 2022 Tax Rates for Emery County was Commissioner Gil Conover, seconded by Commissioner Kent Wilson, and the motion passed.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: none

(11)
DISCUSS/APPROVE/DENY 2022 TAX RATE FOR CVSSD.

Jacob Sharp, Manager of Castle Valley Special Service District presented their 2022 Tax Rate.
General Operations: 0.001027 to generate $1,828,837
Interest and Sinking Fund/Bond: 0.000809 to generate $1,440,040

Proposed 2022 Tax Rate: 0.001836 to generate $3,268,877
Motion to approve the CVSSD 2022 Tax Rate was made by Commissioner Gil Conover, seconded by Commissioner Kent Wilson, and the motion passed.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: none

(12)
DISCUSS/APPROVE/DENY SIGNING OF GOOD STANDING LETTER REGARDING LEVEL 2 CONDITIONAL USE PERMITS PERTAINING TO GREEN RIVER I AND GREEN RIVER II SOLAR PROJECTS.

Attorney Mike Olsen explained that Green River I and Green River II Solar Projects want to combine the two projects into one project. The letter of good standing is in regards to the Level 2 Conditional Use Permits for the projects. The project has been reviewed by Jim Jennings and Jeff Guymon and Attorney Mike Olsen finds no problem with signing the letter of Good Standing for the Level II permits. Commissioner Gil Conover made a motion to approve signing of Good Standing letter regarding Level II Conditional Use Permits pertaining to Green River I and Green River II Solar Projects. The motion was seconded by Commissioner Kent Wilson. The motion passed.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: none

(13)
DISCUSS/APPROVE/DENY AWARDING OF MAIN STREET GRANT APPLICATIONS TO POP CENTRAL, GREEN RIVER SHADY ACRES, EPICENTER, GREEN RIVER COFFEE COMPANY AND FIRST CHOICE INN GREEN RIVER.

Patsy Stoddard, Emery County Business Chamber requested approval for Main Street Grant Applications for the following:
Pop Central: $3,303.24
Green River Shady Acres: $15,000
Epicenter: $5,750
Green River Coffee Company: $4,250
First Choice Inn Green River: $12,000
Tamarisk Restaurant: $20,000

Stewart's Market: $5,297.41

This funding round they had fifteen applications, eight of them still needed a little work to meet the stipulations and requirements to be considered. Hopefully the committee can come back at a later date to consider the other eight applications. They are working with businesses to help them understand what part of their project can qualify to be funded. Commissioner Wilson explained that these projects are being funded through a grant process with combined funds from ARPA, Travel Bureau, and Economic Development. A committee made up of representatives from the three pots of money use requirements and stipulations to determine if a project may be considered for funding. Commissioner Wilson thanked the committee and Patsy Stoddard representing the Emery County Business Chamber for doing a good job of staying true to the original intent of the Main Street Grant Application Process. Commissioner Kent Wilson made a motion to approve the Main Street Grant Applications as presented. The motion was seconded by Commissioner Gil Conover. The motion passed.

AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud

NAY: none

(14)

DISCUSS/APPROVE/DENY PICKING UP URS MEMBER CONTRIBUTIONS FOR TIER II PUBLIC SAFETY EMPLOYEES.

Mary Huntington explained that two years ago Emery County elected to pick up URS Member Contributions for Tier II Public Safety Employees at 2.27 % of their retirement salary. Effective July 1, 2022 their rate will increase to 2.59%. Emery County is not required to pick the new member contribution percentage. However, if we do not pick up the additional .32% the Tier II Public Safety employee will be paying this out of their own pocket. Mary requested that the County pick the additional .32% for all Tier II Public Safety Employees. Commissioner Wilson expressed the importance of this being one of the benefits of working for Emery County.

Commissioner Kent Wilson made a motion to approve picking up URS Member contributions for Tier II Public Safety Employees. The motion was seconded by Commissioner Gil Conover. The motion passed.

AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud

NAY: none

(15)
DISCUSS/APPROVE/DENY AMBULANCE BILL FOR CASE #22-0214.

Commissioner Wilson explained that an employee responded as a first responder to a 911 call and it turned out that he was required to perform CPR on a child that turned out to be his own child. Commissioner Wilson indicated that it doesn't feel right for Emery County to have an individual do the work and then we as a county bill him for the work on his own child. We are aware that employees do get billed from EMS and are required to pay the balance that our insurance doesn't pay. Attorney Mike Olsen was asked for counsel on how to apply the rules to keep the employee from having to pay the balance of the bill without setting a precedent for future situations. Mike indicated that the exception to the rule is narrow. Commissioner Kent Wilson made a motion that due to circumstances surrounding the first responder/employee of Emery County, in that, he performed the service on his own child, to instruct JCI to not bill the first responder/employee for the balance of the bill and to use this circumstance as leeway to future situations. The motion was seconded by Commissioner Gil Conover. The motion passed.
AYE: Commissioner Kent Wilson
Commissioner Gil Conover
Commissioner Lynn Sitterud
NAY: none

(16)
COMMISSION/ELECTED OFFICIAL REPORTS

nothing

(17)
ADJOURN

Motion to adjourn the meeting was made by Commissioner Gil Conover, seconded by Commissioner Kent Wilson, and the motion passed.
AYE: Commissioner Gil Conover
Commissioner Kent Wilson
Commissioner Lynn Sitterud
NAY: none

ATTEST:_____ COMMISSIONER:_____